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PETITION FEE
Under 37 CFR 1.17(f), (g) & (h)
TRANSMITTAL
(Fees are subject to annual revision)

Send completed form to: Commissioner for Patents
P.O. Box 1450, Alexandria, VA 22313-1450

Application Number	10/566,586
Filing Date	Jan. 31, 2006 (Nat'l Phase Date)
First Named Inventor	Raymond Weinstein
Art Unit	N/A
Examiner Name	N/A
Attorney Docket Number	GMU-0001

Enclosed is a petition filed under 37 CFR 1.47 that requires a processing fee (37 CFR 1.17(f), (g), or (h)). Payment of \$ 200.00 is enclosed.

This form should be included with the above-mentioned petition and faxed or mailed to the Office using the appropriate Mail Stop (e.g., Mail Stop Petition), if applicable. For transmittal of processing fees under 37 CFR 1.17(i), see form PTO/SB/17i.

Payment of Fees (small entity amounts are NOT available for the petition fees)

☐ The Commissioner is hereby authorized to charge the following fees to Deposit Account No. _____:

☐ petition fee under 37 CFR 1.17(f), (g) or (h) ☐ any deficiency of fees and credit of any overpayments
Enclose a duplicative copy of this form for fee processing.

☐ Check in the amount of \$ _____ is enclosed.

☒ Payment by credit card (Form PTO-2038 or equivalent enclosed). Do not provide credit card information on this form.

Petition Fees under 37 CFR 1.17(f): Fee \$400 Fee Code 1462

For petitions filed under:

- § 1.36(a) - for revocation of a power of attorney by fewer than all applicants
- § 1.53(e) - to accord a filing date.
- § 1.57(a) - to accord a filing date.
- § 1.182 - for decision on a question not specifically provided for.
- § 1.183 - to suspend the rules.
- § 1.378(e) - for reconsideration of decision on petition refusing to accept delayed payment of maintenance fee in an expired patent.
- § 1.741(b) - to accord a filing date to an application under § 1.740 for extension of a patent term.

Petition Fees under 37 CFR 1.17(g): Fee \$200 Fee Code 1463

For petitions filed under:

- § 1.12 - for access to an assignment record.
- § 1.14 - for access to an application.
- § 1.47 - for filing by other than all the inventors or a person not the inventor.
- § 1.59 - for expungement of information.
- § 1.103(a) - to suspend action in an application.
- § 1.136(b) - for review of a request for extension of time when the provisions of section 1.136(a) are not available.
- § 1.295 - for review of refusal to publish a statutory invention registration.
- § 1.296 - to withdraw a request for publication of a statutory invention registration filed on or after the date the notice of intent to publish issued.
- § 1.377 - for review of decision refusing to accept and record payment of a maintenance fee filed prior to expiration of a patent.
- § 1.550(c) - for patent owner requests for extension of time in ex parte reexamination proceedings.
- § 1.956 - for patent owner requests for extension of time in inter partes reexamination proceedings.
- § 5.12 - for expedited handling of a foreign filing license.
- § 5.15 - for changing the scope of a license.
- § 5.25 - for retroactive license.

Petition Fees under 37 CFR 1.17(h): Fee \$130 Fee Code 1464

For petitions filed under:

- § 1.19(g) - to request documents in a form other than that provided in this part.
- § 1.84 - for accepting color drawings or photographs.
- § 1.91 - for entry of a model or exhibit.
- § 1.102(d) - to make an application special.
- § 1.138(c) - to expressly abandon an application to avoid publication.
- § 1.313 - to withdraw an application from issue.
- § 1.314 - to defer issuance of a patent.

12/21/2006 MKAYPAGH 00000050 10566586

03 FC:1463

/David Yee, Reg. No. 55,753/

Signature

David Yee

Typed or printed name

December 19, 2006

Date

55,753

Registration No., if applicable

This collection of information is required by 37 CFR 1.17. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 5 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

U.S. Appl'n No. :	10/566,586	Confirmation No. :	7191
Int'l Appl'n No. :	PCT/US04/02064		
Applicants :	Raymond Weinstein et al.		
I.A. Filing Date :	01/28/2004		
Nat'l Phase Date :	01/31/2006		
TC/A.U. :	N/A		
Examiner :	N/A		
Docket No. :	GMU-0001		

Attention: Office of Petitions
Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**PETITION UNDER 37 C.F.R. § 1.47 TO PERMIT PROSECUTION OF A PATENT
APPLICATION WHEN AN INVENTOR REFUSES TO SIGN AN OATH OR
DECLARATION**

Madam/Sir:

This petition is being submitted as specified by 37 C.F.R. § 1.47 entitled "Filing when an inventor refuses to sign or cannot be reached."

Accompanying this petition are a Statement of Facts, Statement of the Last Known Address of the Non-Signing Inventor, Deposit Account Information and 48 pages of supporting e-mail exhibits.

STATEMENT OF FACTS

I, David Yee, declare that:

1. I am a registered patent attorney with a U.S. Patent Registration No. 55,753.
2. I am employed by George Mason University ("GMU") to prepare and file missing parts for the patent application ("Application"), entitled "Compositions and Methods for Treating or Preventing HIV Infection," having a U.S. Application No. 10/566,586, a National Filing Date of 01/31/2006, an International Application No. PCT/US04/02064 and an International Filing Date of 01/28/2004.
3. Application was prepared and filed by Millen, White, Zelano & Branigan, P.C. ("MWZB"). The MWZB attorney, Richard Lebovitz, who prepared and filed the application, no longer works at MWZB.
4. Application was co-invented by Raymond Weinstein, Michael Weinstein and Dr. Kenneth Alibek.
5. On July 24, 2006, the U.S. Patent and Trademark Office mailed a "Notification of Missing Requirements under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US)" to MZWB.
6. On Nov. 27, 2006, at 12:38 PM, I contacted Dr. Svetlana Hopkins, Executive Vice President of AFG Biosolutions, Inc. ("AFG BIO") to acquire the required contact information from Dr. Alibek to complete a U.S. Patent and Trademark Office declaration. AFG BIO listed on its website that those interested in contacting Dr. Alibek needs to contact Dr. Hopkins.
7. On Nov. 27, 2006, at 5:17 PM, Dr. Hopkins responded with the necessary contact information for the supplemental declaration.

8. On Nov. 28, 2006, at 11:20 AM, I forwarded Dr. Alibek's supplemental declaration to Dr. Hopkins, as well as the accompanying original declaration so that Dr. Alibek may see what his supplements. I requested that Dr. Hopkins forward the supplemental declaration to Dr. Alibek for review, signing and dating. I also included instructions on faxing the signed and dated supplemental declaration to my attention.
9. On Nov. 28, 2006, at 11:25 AM, Dr. Hopkins responded that Dr. Alibek is in Europe until the second week of December, but would pass along the information.
10. On Nov. 28, 2006, at 11:30 AM, I told Dr. Hopkins that we can receive the signed supplemental declaration after Dr. Alibek's return but would need to file it by the third week of December.
11. On Dec. 13, 2006, at 9:45 AM, I e-mailed Dr. Hopkins to inquire Dr. Alibek's status return update and to have Dr. Alibek review and sign the declaration if he had returned. I also stated that I needed the completed form by December 15, 2006 for sufficient processing time.
12. On Dec. 13, 2006, at 10:48 AM, Dr. Hopkins replied and stated that Dr. Alibek will not return to the U.S. until after December 20. Dr. Hopkins stated that she will remind Dr. Alibek of the request.
13. On Dec. 13, 2006, at 10:59 AM, I asked Dr. Hopkins whether Dr. Alibek has e-mail access in Europe. I suggested that GMU can work with a scanned, signed declaration. I also told Dr. Hopkins that the major concern is meeting the statutory, final, nonextendable deadline, which will arrive in about a week and a half. If GMU were to miss the deadline, Application would be abandoned by law, and GMU would not be able to revive it.

14. On Dec. 14, 2006, at 2:45 PM, Dr. Hopkins responded that Dr. Alibek wanted to withdraw his name from Application.
15. On Dec. 15, 2006, at 11:19 AM, I asked Dr. Hopkins for the reason(s) why Dr. Alibek wanted his name removed.
16. On Dec. 15, 2006, at 11:43 AM, I e-mailed the other inventors and told them of the status update with the Application, including Dr. Alibek's request. Included in the e-mail, I asked whether the inventors wished to continue forward with the prosecution of Application.
17. On Dec. 15, 2006, at 4:26 AM, Raymond Weinstein, the first named inventor, confirmed that he wanted to continue with the prosecution of Application. Raymond Weinstein also stated that, although he might be able to guess the reason(s), he didn't understand why Dr. Alibek wanted to have his name removed. Raymond Weinstein suggested that he can help talk with Dr. Alibek.
18. On Dec. 18, 2006, at 12:43 AM, I replied to Raymond Weinstein and asked him to contact Dr. Alibek.
19. On Dec. 19, 2006, at 10:20 AM, Raymond Weinstein called me and explained that he tried to contact Dr. Alibek, but was unable to do so.
20. As of Dec. 19, 2006, at 4:00 PM, I have yet to receive any explanation from Dr. Alibek or Dr. Hopkins as to why Dr. Alibek wanted his name removed.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are

punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of Application or any patent issuing thereon.

/David Yee, Reg. No. 55,753/
David Yee
U.S. Patent Reg. No. 55,753

12/19/06
Date

STATEMENT OF THE LAST KNOWN ADDRESS

OF THE NON-SIGNING INVENTOR

The last known address of the non-signing inventor, Dr. Kenneth Alibek, is:

Dr. Kenneth Alibek
20358 Seneca Meadows Parkway
Germantown, MD 20876

DEPOSIT ACCOUNT INFORMATION

The Commissioner is hereby authorized to change any additional fees, which may be required, or credit any overpayment, to Deposit Account No. 50-3212.

In the event that an extension of time is required, or may be required in addition to that requested in a petition for an extension of time, the Commissioner is requested to grant a petition for that extension of time that is required to make this response timely. Hereby, the Commissioner is authorized to charge any fee for such an extension of time or credit any overpayment for an extension of time to Deposit Account No. 50-3212.

Respectfully submitted,

/David Yee, Reg. No. 55,753/
David Yee
Reg. No. 55,753

Date: December 19, 2006

Office of Technology Transfer
George Mason University
4400 University Dr., MSN 5G5
Fairfax, VA 22030
Phone: 703-993-3949
Fax: 703-993-8871

From David Yee <dyee@gmu.edu>

Sent Monday, November 27, 2006 12:38 pm

To Svetlana.Hopkins@afgbio.com

Cc

Bcc Jennifer Murphy <jmurphy@gmu.edu>

Subject GMU-04-004U - Inventorship contact information re: Dr. Alibek

Hi Dr. Hopkins,

This is David Yee from the Office of Technology Transfer at George Mason University. I am trying to contact Dr. Alibek to request his contact information regarding one of his inventions. I understand from your website that you are the person I should reach to contact Dr. Alibek.

Specifically, I need the following information to fill out a U.S. Patent and Trademark Office Declaration:

- 1) Dr. Alibek's full name;
- 2) Residence - city, state, country;
- 3) Citizenship;
- 3) Mailing Address, City, State, ZIP and Country.

Could you please respond with this information or have him contact me? I can be reached at 703-993-3949 or via e-mail at dyee@gmu.edu. Thanks.

Once completed, I need to e-mail the form (whether to you or directly to Dr. Alibek) for signing. Should you have any questions or comments, please feel free to contact me.

Best regards,
David

David Yee
Registered Patent Attorney
(Admitted only in NY and USPTO)
USPTO Reg. No. 55,753

Office Phone : 703-993-3949
Fax: (703) 993-8871
E-mail: dyee@gmu.edu

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From [David Yee <dyee@gmu.edu>](mailto:dyee@gmu.edu)

Sent Tuesday, November 28, 2006 11:20 am

To [Svetlana Hopkins <svetlana.hopkins@afgbio.com>](mailto:svetlana.hopkins@afgbio.com)

Cc

Bcc

Subject Re: RE: GMU-04-004U - Inventorship contact information re: Dr. Alibek

Attachments [GMU-04-004U Kenneth Alibek declaration.pdf](#) 309K [GMU-04-004U declaration.pdf](#) 295K

Dr. Hopkins,

Thank you for your response. Attached please find a supplemental declaration (file name: GMU-04-004U_Kenneth_Alibek) for Dr. Alibek to review and to sign and date in the designated boxes. I have also attached the original declaration (file name: GMU-04-004U_declaration) so that Dr. Alibek may see what his supplements. Please note that the original declaration is merely for reference purposes and remains temporarily incomplete as I need to insert another inventor's contact information.

The U.S. Patent and Trademark Office requires all inventors to submit a signed oath or declaration. The purpose of the declaration is to assert that each inventor believes he is the first and original inventor, and that he has read and understood the claims and specification.

Once it is reviewed, signed and dated, please fax the form to my attention at 703-993-8871. Should you have any questions, please feel free to contact me at the number or e-mail below. Thanks.

Best regards,
David

----- Original Message -----

From: Svetlana Hopkins <svetlana.hopkins@afgbio.com>

Date: Monday, November 27, 2006 5:17 pm

Subject: RE: GMU-04-004U - Inventorship contact information re: Dr. Alibek

> Dear Mr. Yee -

>

>

>

> Below please find the requested information:

>

>

>

> 1) Dr. Alibek's full name

> Dr. Kenneth Alibek

>

> 2) Residence - city, state, country

> DunnLoring, VA, USA

>

> 3) Citizenship

> USA

>

> 3) Mailing Address, City, State, ZIP and Country 7904 Oak

> Street, Dunn Loring, VA 22027 USA

>

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>
> Thank you and please let me know if anything else is required.
>
>
>
> Dr. Svetlana Hopkins
>
> Executive Vice President
> AFG Biosolutions, Inc.
> 20358 Seneca Meadows Parkway
> Germantown, MD 20876
> Phone: 240.361.1715
> Fax: 240.361.1705
> e-mail: svetlana.hopkins@afgbio.com
> <<mailto:svetlana.hopkins@afgbio.com>>
>
> www.afgbio.com
>
>
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>
> -----Original Message-----
> From: David Yee [<mailto:dyee@gmu.edu>]
> Sent: Monday, November 27, 2006 12:39 PM
> To: Svetlana Hopkins
> Subject: GMU-04-004U - Inventorship contact information re: Dr. Alibek
>
>
>
> Hi Dr. Hopkins,
>
>
>
> This is David Yee from the Office of Technology Transfer at George
> MasonUniversity. I am trying to contact Dr. Alibek to request his
> contactinformation regarding one of his inventions. I understand
> from your
> website that you are the person I should reach to contact Dr.
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> Could you please respond with this information or have him contact me?
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> Thanks.
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> Once completed, I need to e-mail the form (whether to you or
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> Dr. Alibek) for signing. Should you have any questions or comments,
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>
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>
> Best regards,
>
> David
>
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>
> David Yee
>
> Registered Patent Attorney
>
> (Admitted only in NY and USPTO)
>
> USPTO Reg. No. 55,753
>
>
>
> Office Phone : 703-993-3949
>
> Fax: (703) 993-8871
>
> E-mail: dyee@gmu.edu
>
> -----
>
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> sender by replying to this message and delete this email
> immediately.
>
>
>

From David Yee <dyee@gmu.edu>

Sent Tuesday, November 28, 2006 11:30 am

To Svetlana Hopkins <svetlana.hopkins@afgbio.com>

Cc

Bcc

Subject Re: RE: RE: GMU-04-004U - Inventorship contact information re: Dr. Alibek

Dear Dr. Hopkins,

Ok, that should be fine. Please bear in mind that we will need to file the declaration by the third week of December.

Thanks,
David

----- Original Message -----

From: Svetlana Hopkins <svetlana.hopkins@afgbio.com>

Date: Tuesday, November 28, 2006 11:25 am

Subject: RE: RE: GMU-04-004U - Inventorship contact information re: Dr. Alibek

> Dear Mr. Yee -

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> Dr. Alibek is currently in Europe and he is scheduled to be back
> to US

> on the second week of December. I will make sure to pass this
> information to him.

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>

> Regards,

>

>

>

> Dr. Svetlana Hopkins

>

> Executive Vice President

> AFG Biosolutions, Inc.

> 20358 Seneca Meadows Parkway

> Germantown, MD 20876

> Phone: 240.361.1715

> Fax: 240.361.1705

> e-mail: svetlana.hopkins@afgbio.com

> <<mailto:svetlana.hopkins@afgbio.com>>

>

> www.afgbio.com

>

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>

> -----Original Message-----

> From: David Yee [<mailto:dyee@gmu.edu>]

> Sent: Tuesday, November 28, 2006 11:20 AM
> To: Svetlana Hopkins
> Subject: Re: RE: GMU-04-004U - Inventorship contact information
> re: Dr.
> Alibek
>
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>
> Dr. Hopkins,
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> Best regards,
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> David
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>
> ----- Original Message -----
>
> From: Svetlana Hopkins <svetlana.hopkins@afgbio.com>
>
> Date: Monday, November 27, 2006 5:17 pm
>
> Subject: RE: GMU-04-004U - Inventorship contact information re: Dr.
> Alibek
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>

> > Dear Mr. Yee -

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> > Below please find the requested information:

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> > 1) Dr. Alibek's full name

>

> > Dr. Kenneth Alibek

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> >

>

> > 2) Residence - city, state, country

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> > DunnLoring, VA, USA

>

> >

>

> > 3) Citizenship

>

> > USA

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> >

>

> > 3) Mailing Address, City, State, ZIP and Country 7904 Oak

>

> > Street, Dunn Loring, VA 22027 USA

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> > Thank you and please let me know if anything else is required.

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> > Dr. Svetlana Hopkins

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>
> > Executive Vice President
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> > AFG Biosolutions, Inc.
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> > 20358 Seneca Meadows Parkway
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> > Germantown, MD 20876
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> > Phone: 240.361.1715
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> > Fax: 240.361.1705
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> > e-mail: svetlana.hopkins@afgbio.com
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> > www.afgbio.com
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> > -----Original Message-----
>
> > From: David Yee [<mailto:dyee@gmu.edu>]
>
> > Sent: Monday, November 27, 2006 12:39 PM
>
> > To: Svetlana Hopkins
>
> > Subject: GMU-04-004U - Inventorship contact information re: Dr.
> Alibek
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>
> > Hi Dr. Hopkins,
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> > Best regards,
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> > David
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> > -----
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>
> > David Yee
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>
> > Registered Patent Attorney
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>
> > (Admitted only in NY and USPTO)
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> > USPTO Reg. No. 55,753
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>
> > Office Phone : 703-993-3949
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> > Fax: (703) 993-8871
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> > E-mail: dyee@gmu.edu
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From David Yee <dyee@gmu.edu>

Sent Wednesday, December 13, 2006 10:59 am

To Svetlana Hopkins <svetlana.hopkins@afgbio.com>

Cc

Bcc

Subject Re: RE: GMU-04-004U - Inventorship contact information re: Dr. Alibek

Dr. Hopkins,

Does Dr. Alibek have e-mail access in Europe? If so, can you e-mail it to him and have him sign and scan an image to you? We can work with a scanned and e-mailed copy as well.

My concern is that we are facing a statutory, final and no longer extendable deadline in about a week and a half. If we miss this deadline, the application will become abandoned by law, and we would not be able to revive it.

Thanks,
David

David Yee
Registered Patent Attorney
(Admitted only in NY and USPTO)
USPTO Reg. No. 55,753

Office Phone : 703-993-3949
Fax: (703) 993-8871
E-mail: dyee@gmu.edu

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----- Original Message -----

From: Svetlana Hopkins <svetlana.hopkins@afgbio.com>

Date: Wednesday, December 13, 2006 10:48 am

Subject: RE: GMU-04-004U - Inventorship contact information re: Dr. Alibek

> Dear David -

>

>

>

> Dr. Alibek is still in Europe and he is scheduled to be back after

> December 20. I will make sure to remind him regarding your request.

>

>

>

> Regards,

>

>

>

> Dr. Svetlana Hopkins
>
> Executive Vice President
> AFG Biosolutions, Inc.
> 20358 Seneca Meadows Parkway
> Germantown, MD 20876
> Phone: 240.361.1715
> Fax: 240.361.1705
> e-mail: svetlana.hopkins@afgbio.com
> <<mailto:svetlana.hopkins@afgbio.com>>
>
> www.afgbio.com
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>
> -----Original Message-----
> From: David Yee [<mailto:dyee@gmu.edu>]
> Sent: Wednesday, December 13, 2006 9:45 AM
> To: Svetlana Hopkins
> Subject: RE: GMU-04-004U - Inventorship contact information re: Dr.
> Alibek
>
>
>
> Dear Dr. Hopkins,
>
>
>
> Has Dr. Alibek returned from Europe yet? If so, please have him
> review, sign and date his USPTO declaration
> (GMU-04-004U_Kenneth_Alibek_declaration) I forwarded you two weeks
> ago. Once completed, please fax it to my attention at 703-993-8871.
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>
> If you need the form resent, please let me know. I need to
> receive the
> completed form by this Friday, Dec. 15, 2006 for sufficient processing
> time. Thanks!
>
>
>
> Best regards,
>
> David
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> -----
>
> David Yee
>

> Registered Patent Attorney
 >
 > (Admitted only in NY and USPTO)
 >
 > USPTO Reg. No. 55,753
 >
 >
 >
 > Office Phone : 703-993-3949
 >
 > Fax: (703) 993-8871
 >
 > E-mail: dyee@gmu.edu
 >
 > -----
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 > immediately.
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 > ----- Original Message -----
 >
 > From: Svetlana Hopkins <svetlana.hopkins@afgbio.com>
 >
 > Date: Tuesday, November 28, 2006 11:25 am
 >
 > Subject: RE: RE: GMU-04-004U - Inventorship contact information
 > re: Dr.
 > Alibek
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 >
 > > Dear Mr. Yee -
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 >
 > > Dr. Alibek is currently in Europe and he is scheduled to be back
 >
 > > to US

>
> > on the second week of December. I will make sure to pass this
>
> > information to him.

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>
> > Regards,

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> >
>
> > Dr. Svetlana Hopkins
>
> >
>
> > Executive Vice President

>
> > AFG Biosolutions, Inc.
>
> > 20358 Seneca Meadows Parkway
>
> > Germantown, MD 20876
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> > Phone: 240.361.1715
>
> > Fax: 240.361.1705
>
> > e-mail: svetlana.hopkins@afgbio.com
>
> > <<mailto:svetlana.hopkins@afgbio.com>>

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>
> > www.afgbio.com

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>
> > -----Original Message-----
>

> > From: David Yee [<mailto:dyee@gmu.edu>]
>
> > Sent: Tuesday, November 28, 2006 11:20 AM
>
> > To: Svetlana Hopkins
>
> > Subject: Re: RE: GMU-04-004U - Inventorship contact information
>
> > re: Dr.
>
> > Alibek
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> > Dr. Hopkins,
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> > Thank you for your response. Attached please find a supplemental
>
> > declaration (file name: GMU-04-004U_Kenneth_Alibek) for Dr.
> Alibek to
>
> > review and to sign and date in the designated boxes. I have also
>
> > attached the original declaration (file name: GMU-04-
> 004U_declaration)
> > so that Dr. Alibek may see what his supplements. Please note
> that the
>
> > original declaration is merely for reference purposes and remains
>
> > temporarily incomplete as I need to insert another inventor's
> contact
> > information.
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> > The U.S. Patent and Trademark Office requires all inventors to
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> > submit a
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> > signed oath or declaration. The purpose of the declaration is

> to
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> > assertthat each inventor believes he is the first and original
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> > inventor, and
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> > that he has read and understood the claims and specification.
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> > Once it is reviewed, signed and dated, please fax the form to my
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> > attention at 703-993-8871. Should you have any questions,
> please feel
>
> > free to contact me at the number or e-mail below. Thanks.
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> > Best regards,
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> > David
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> > ----- Original Message -----
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> >
>
> > From: Svetlana Hopkins <svetlana.hopkins@afgbio.com>
>
> >
>
> > Date: Monday, November 27, 2006 5:17 pm
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> >
>
> > Subject: RE: GMU-04-004U - Inventorship contact information re: Dr.
>
> > Alibek
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> > > Dear Mr. Yee -
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> > > Below please find the requested information:
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> > > 1) Dr. Alibek's full name
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> > > Dr. Kenneth Alibek
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> > > 2) Residence - city, state, country
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> > > DunnLoring, VA, USA
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> > > 3) Citizenship
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> > > 3) Mailing Address, City, State, ZIP and Country      7904 Oak
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> > > Street, Dunn Loring, VA 22027 USA
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> > > Thank you and please let me know if anything else is required.
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> > > Dr. Svetlana Hopkins
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>
> > > Executive Vice President
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> > > AFG Biosolutions, Inc.
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> > > e-mail: svetlana.hopkins@afgbio.com
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> > > <<mailto:svetlana.hopkins@afgbio.com>>
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> > > -----Original Message-----
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>
> > > From: David Yee [<mailto:dyee@gmu.edu>]
>
> >
>
> > > Sent: Monday, November 27, 2006 12:39 PM
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>
> > > To: Svetlana Hopkins
>
> >
>
> > > Subject: GMU-04-004U - Inventorship contact information re:
> Dr.
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> > Alibek
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> > > Hi Dr. Hopkins,
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> > > This is David Yee from the Office of Technology Transfer at
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> > George
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> > > MasonUniversity. I am trying to contact Dr. Alibek to request
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> > his
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> > > contactinformation regarding one of his inventions. I
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> > understand
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> > > from your
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> > > website that you are the person I should reach to contact Dr.
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> > > Alibek.
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> > > Specifically, I need the following information to fill out a
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> > U.S.

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 > > > Patentand Trademark Office Declaration:
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 > > > 1) Dr. Alibek's full name;
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 > > > 2) Residence - city, state, country;
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 > > > 3) Citizenship;
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 > > > 3) Mailing Address, City, State, ZIP and Country.
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 > > > Could you please respond with this information or have him
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 > > contact me?
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> > > I can be reached at 703-993-3949 or via e-mail at
> dyee@gmu.edu.
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> > > Thanks.
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> > > Once completed, I need to e-mail the form (whether to you or
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> > > directly to
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> > > Dr. Alibek) for signing. Should you have any questions or
> comments,
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> > > please feel free to contact me.
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> > > Best regards,
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> > > David Yee
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> > > Registered Patent Attorney
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> > > (Admitted only in NY and USPTO)
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> > > Office Phone : 703-993-3949
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> > > Fax: (703) 993-8871
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> > > E-mail: dyee@gmu.edu
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From David Yee <dyee@gmu.edu>

Sent Friday, December 15, 2006 11:19 am

To Svetlana Hopkins <svetlana.hopkins@afgbio.com>

Cc

Bcc

Subject Re: RE: GMU-04-004U - Inventorship contact information re: Dr. Alibek

Dear Dr. Hopkins,

Thank you for the reply. Can you please explain why Dr. Alibek wishes to have his name removed from the application?

Best regards,
David

----- Original Message -----

From: Svetlana Hopkins <svetlana.hopkins@afgbio.com>

Date: Thursday, December 14, 2006 2:45 pm

Subject: RE: GMU-04-004U - Inventorship contact information re: Dr. Alibek

> Dear Mr. Yee -

>

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>

>

> Dr. Alibek just informed me that he would like to withdraw his
> name from
> this application.

>

>

>

> Regards,

>

>

>

> Dr. Svetlana Hopkins

>

> Executive Vice President

> AFG Biosolutions, Inc.

> 20358 Seneca Meadows Parkway

> Germantown, MD 20876

> Phone: (+1) 240.361.1715

> Fax: (+1) 240.361.1705

> e-mail: svetlana.hopkins@afgbio.com

> <<mailto:svetlana.hopkins@afgbio.com>>

>

> www.afgbio.com

>

>

>

>

>

> -----Original Message-----

> From: David Yee [<mailto:dyee@gmu.edu>]

> Sent: Wednesday, December 13, 2006 9:45 AM

> To: Svetlana Hopkins
> Subject: RE: GMU-04-004U - Inventorship contact information re: Dr.
> Alibek
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> Best regards,
>
> David
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> -----
>
> David Yee
>
> Registered Patent Attorney
>
> (Admitted only in NY and USPTO)
>
> USPTO Reg. No. 55,753
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> Office Phone : 703-993-3949
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> Fax: (703) 993-8871
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> E-mail: dyee@gmu.edu
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>
> From: Svetlana Hopkins <svetlana.hopkins@afgbio.com>
>
> Date: Tuesday, November 28, 2006 11:25 am
>
> Subject: RE: RE: GMU-04-004U - Inventorship contact information
> re: Dr.
> Alibek
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> >
>
> > Dr. Svetlana Hopkins

>
> >
>
> > Executive Vice President
>
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> > www.afgbio.com
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> > From: David Yee [<mailto:dyee@gmu.edu>]
>
> > Sent: Tuesday, November 28, 2006 11:20 AM
>
> > To: Svetlana Hopkins
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> > Subject: Re: RE: GMU-04-004U - Inventorship contact information
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> > re: Dr.
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> > Best regards,
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> > David
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> > ----- Original Message -----
>
> >
>
> > From: Svetlana Hopkins <svetlana.hopkins@afgbio.com>
>
> >
>
> > Date: Monday, November 27, 2006 5:17 pm
>
> >
>
> > Subject: RE: GMU-04-004U - Inventorship contact information re: Dr.
>
> > Alibek
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> >
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> > > Dear Mr. Yee -
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> > > 1) Dr. Alibek's full name

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>
> > > Dr. Kenneth Alibek

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> > > 2) Residence - city, state, country

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>
> > > DunnLoring, VA, USA

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> > > 3) Citizenship

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> > > USA

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> > > 3) Mailing Address, City, State, ZIP and Country 7904 Oak
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> > > Street, Dunn Loring, VA 22027 USA
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> > > Thank you and please let me know if anything else is required.
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> > > Dr. Svetlana Hopkins
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> > > Executive Vice President
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> > > AFG Biosolutions, Inc.
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>
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> > > -----Original Message-----
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> > > From: David Yee [<mailto:dyee@gmu.edu>]
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> >
>
> > > Sent: Monday, November 27, 2006 12:39 PM
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>
> > > To: Svetlana Hopkins
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> >
>
> > > Subject: GMU-04-004U - Inventorship contact information re:
> Dr.
>
> > Alibek
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> > > Hi Dr. Hopkins,
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> >
> > > This is David Yee from the Office of Technology Transfer at
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> > George
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> > > MasonUniversity. I am trying to contact Dr. Alibek to request
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> > his
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> > > contact information regarding one of his inventions. I
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> > understand
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> > > from your
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> > > website that you are the person I should reach to contact Dr.
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> > > Alibek.
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> > > Specifically, I need the following information to fill out a
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> > U.S.
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> > > Patent and Trademark Office Declaration:
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> > > 1) Dr. Alibek's full name;
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> > > 2) Residence - city, state, country;

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> > > 3) Citizenship;
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> > > 3) Mailing Address, City, State, ZIP and Country.
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> > > Could you please respond with this information or have him
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> > contact me?
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> > > I can be reached at 703-993-3949 or via e-mail at
> dyee@gmu.edu.
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> > > Thanks.
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> > > Once completed, I need to e-mail the form (whether to you or
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> > > directly to
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> > > Dr. Alibek) for signing. Should you have any questions or
> comments,
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> > > please feel free to contact me.
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> > > Best regards,
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> > > David
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> > > David Yee
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> > > Registered Patent Attorney
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> > > (Admitted only in NY and USPTO)
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> > > Office Phone : 703-993-3949
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> > > Fax: (703) 993-8871
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> > > E-mail: dyee@gmu.edu
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From David Yee <dyee@gmu.edu>

Sent Friday, December 15, 2006 11:43 am

To Michael Weinstein <livthemdns@aol.com> , Ray Weinstein <AlaskaRay@aol.com>

Cc Jennifer Murphy <jmurphy@gmu.edu>

Bcc

Subject GMU-04-004U - continue patent prosecution?

Hi Ray and Michael,

To bring you up to speed, we have received your signed declaration, as well as Michael Weinstein's declaration, for the patent application entitled "Compositions and Methods for Treating or Preventing HIV Infection," having a serial no. 10/566,586, filed on Jan. 31, 2006.

However, Dr. Ken Alibek in essence has stated his refusal to sign his declaration by wishing to have his name removed from the application. As of this writing, I have yet to receive any explanation.

With our final, nonextendable deadline being Dec. 24, 2006, and George Mason University being officially closed from Dec. 22, 2006 to Jan. 2, 2007, the issue is now whether to continue pursuing patent prosecution of this application. To help with this decision, could you please shed some light to the following questions?

1. Have you or Michael been able to obtain any data that justifies prosecution of this application?
2. As going forward with this application will be very costly, do you and Michael want to continue?

Thanks in advance for your responses,
David

David Yee
Registered Patent Attorney
(Admitted only in NY and USPTO)
USPTO Reg. No. 55,753

Office Phone : 703-993-3949
Fax: (703) 993-8871
E-mail: dyee@gmu.edu

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From AlaskaRay@aol.com

Sent Friday, December 15, 2006 4:26 pm

To dyee@gmu.edu

Cc

Bcc

Subject Re: GMU-04-004U - continue patent prosecution?

In a message dated 12/15/2006 11:44:30 A.M. Eastern Standard Time, dyee@gmu.edu writes:

1. Have you or Michael been able to obtain any data that justifies prosecution of this application?
2. As going forward with this application will be very costly, do you and Michael want to continue?

Thanks in advance for your responses,
David

I don't know why Ken wants his name removed. Perhaps he thinks he doing me a favor, or it may be related to his anger at GMU. It's okay with me if you remove his name or I can contact him if that would be helpful. At the moment I believe he's in Russia and can only be reached via e-mail.

We just completed a large scale study that we hope will confirm the results of our pilot study. Unfortunately it has taken some extra time to organize the analysis of the specimens by our collaborators at GWU. I hope to have the results by the end of the year, but with over 6000 specimens, it will take me at least 2 weeks to analyze the results once I get them. I continue to have confidence in this discovery and would recommend proceeding with the patent. Between our original study and this latest phase, our collaborators at GW did some studies that show a persistent alteration in the immune system of vaccinia immunized subjects that would tend to make them more resistant to HIV. However, this is their data and not ours to include in the patent. I will be repeating that study myself if the results for which we're waiting warrant it. Sorry I don't have more definite information at this moment, but we expect it shortly.

So the short answer is, that I think we need to continue to move forward with this patent.

Thanks,
Ray Weinstein

From David Yee <dyee@gmu.edu>

Sent Monday, December 18, 2006 10:43 am

To AlaskaRay@aol.com

Cc Jennifer Murphy <jmurphy@gmu.edu>

Bcc

Subject Re: GMU-04-004U - continue patent prosecution?

Hi Ray,

I just received your messages. According to Dr. Alibek's assistant, Dr. Alibek is currently in Europe and will not be back until after Dec. 20. And, as of this writing, there is no response from either his assistance or Dr. Alibek as to why he wants his name removed.

Could you please try and contact him? Thanks.

Per your request, we will move forward with the patent application.

Best regards,
David

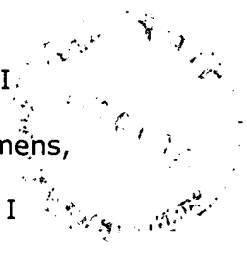
----- Original Message -----

From: AlaskaRay@aol.com

Date: Friday, December 15, 2006 4:26 pm

Subject: Re: GMU-04-004U - continue patent prosecution?

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